

## Sec. 9-1-68 Private Sewage System Regulations.

(a) **Adoption.**

- (1) Pursuant to Sec. 59.065, Wis. Stats., the Iron County Board of Supervisors hereby adopts the Iron County private sewage system ordinance.
- (2) This Section shall be subject to the provisions of Chapter 145, Wis. Stats., and all subsequent rules and regulations promulgated thereunder regarding private sewage systems.
- (3) This Section shall not be more lenient nor stringent than the rules and regulations promulgated pursuant to Chapter 145, Wis. Stats.

(b) **Definitions.** The following definitions shall be applicable in this Section:

- (1) **Alternative Systems.** A state-approved substitute for a standard designed septic tank or soil absorption area. This includes:
  - a. Holding tanks.
  - b. The construction of a mound system to dispose of private sewage effluent in areas where soils are inadequate due to bedrock, high ground water or slowly permeable soils.
  - c. Any private system which the State of Wisconsin may approve.
- (2) **Department.** The State Department of Industry, Labor and Human Relations -- Plumbing Section.
- (3) **Issuing Agent.** The County office, department, committee, position or employee assigned the duties of administering the private sewage system program by the County Board.
- (4) **Milkhouse Waste.** The discharge of any waste water created by the:
  - a. Washing and rinsing of milk utensils and tanks.
  - b. Washing down interior of milkhouse.
- (5) **Private Sewage System.** A sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure; an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one (1) structure or a system located on a different parcel than the structure; and may be owned by the property owner or by a special purpose district.
- (6) **Privy.** A structure which has no plumbing or water under pressure and the primary use is to contain human wastes.
- (7) **Sanitary Permit.** A permit issued by the department or the issuing agent for the installation of a private sewage system.

(c) **Issuing Agent.** The Zoning Administrator shall act as the Iron County issuing agent and is hereby assigned the duties of administering the private sewage system program.

(d) **Sanitary Permit.**

- (1) **Validity.**
  - a. No person may install a private sewage system unless the owner of the property on which the private sewage system is to be installed holds a valid sanitary permit.



- b. No person may sell at retail a septic tank for installation unless the purchaser holds a valid sanitary permit.
  - c. A sanitary permit is valid for two (2) years from the date of issue and renewable for similar periods thereafter.
  - d. A sanitary permit may be transferred from the holder to a subsequent owner of the land, except that the subsequent owner must obtain a new copy of the sanitary permit from the issuing agent.
- (2) **Application Forms.** The issuing agent shall use the sanitary permit forms provided by the department.
- (3) **Application Process.**
- a. The applicant shall submit the completed sanitary permit application to the issuing agent.
  - b. The issuing agent shall review the certified soil tester reports for the proposed private sewage systems and verify the report at the proposed site, if necessary.
  - c. The issuing agent shall approve or disapprove applications for sanitary permits and assist applicants in preparing an approvable application.
  - d. The issuing agent shall issue written notice to each applicant whose sanitary permit application is disapproved. Each notice shall:
    - 1. State the specific reasons for disapproval and amendments to the application, if any, which would render the application approvable.
    - 2. Inform the applicant of the right to appeal and the procedures for conducting an appeal under Chapter 68, Wis. Stats.
- (e) **Permit Fees.** The fee for sanitary permits shall be as established by resolution of the Iron County Board of Supervisors.
- (f) **Other Fees.** **\*\*SEE ATTACHED FEE SCHEDULE\*\***
- (1) Transfer fee. The fee for the transfer of a sanitary permit shall be ~~XXXXXXXXXX~~  
~~XXXXXX~~
  - (2) Alternative design fee. The fee for the inspection of an alternative design system shall be ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
  - (3) Return inspection fee. The fee for a return inspection for the installation of any private sewage system shall be ~~XXXXXXXXXXXX~~  
~~XXXXXXXXXXXX~~
- (g) **Inspection.**
- (1) The issuing agent shall inspect or cause the inspection of all private sewage systems after construction, but before backfilling no later than the end of the next workday, excluding Saturdays, Sundays and holidays, after receiving notice from the plumber in charge.
  - (2) The issuing agent shall file reports and conduct surveys and inspections as required by the County or the department.
  - (3) A maintenance program, which requires inspection of all new or replacement private sewage systems at least once every three (3) years. The owner of a system subject to the maintenance program must be required to submit to the County a certification form (to be provided by the County) every three (3) years, signed by the owner and signed by a master plumber, journeyman plumber or restricted plumber licensed under



Chapter 145, Wis. Stats., a person licensed under Sec. 146.20, Wis. Stats., or by a County or State employee designated by the department, who has inspected the system. The form shall require certification that the system is in proper operating condition, and that after inspection, and pumping if necessary, the septic or holding tank is less than one-third (1/3) full of sludge and scum.

- (h) **Violations.** The issuing agent shall investigate violations of the private sewage system ordinance and Sec. 146.13, Wis. Stats., issue orders to abate the violations and submit orders to the District Attorney, corporation counsel or Attorney General for enforcement.
- (i) **Citations.** Violation of this Section are subject to the provisions of Sec. 66.119, Wis. Stats., and the Iron County Citation Ordinance.
- (j) **Other Duties.** The issuing agent shall perform other duties regarding private sewage systems as considered appropriate by the County or as required by the rules of the department.
- (k) **Privies.** The regulation of privies shall be subject to the provisions of State Administrative Codes and Iron County Codes.
  - a. Privies shall be constructed and maintained in a clean condition so that insects and rodents cannot enter the vault.
  - b. Privies shall be located at the minimum horizontal distance of twenty-five (25) feet from dwellings, twenty-five (25) feet from a lot line, fifty (50) feet from water supply wells, fifty (50) feet from a stream, lake or other water-course, and twenty-five (25) feet from the edge of a twenty percent (20%) slope, pits shall be three (3) feet above bedrock and the high ground water level. Watertight concrete vault pits shall be located a minimum horizontal distance of fifty (50) feet from a lake, stream, or other watercourse.
- (l) **Milkhouse Waste.** The regulation of the disposal of milkhouse waste shall be subject to the provisions of NR Codes, AG Codes and Iron County Codes. All milkhouses waste shall be disposed of in such a manner as not to create a nuisance on property or adjoining properties.

## **Sec. 9-1-69    Supplementary Regulations.**

- (a) **Airport Safety Zones.** Except for field crops and fences under five (5) feet high, the maximum height of any object located within five hundred (500) feet of either side of the centerline of a landing strip, and extended to a distance of two (2) miles from the end of the runway shall be no longer than one-twentieth (1/20) of the distance of the object to the landing strip.
- (b) **Off-Street Parking.** Any building hereafter erected or placed on a lot shall be provided with off-street parking spaces for those using such building.
  - (1) Each parking space required shall be at least two hundred (200) square feet in area.
  - (2) Residential uses shall be provided with at least one (1) parking space for each dwelling unit.



- (3) Commercial and industrial uses as listed and permitted in the zoning districts, shall be provided, except as noted below with one (1) parking space for each two hundred (200) square feet of floor area. However, restaurants, taverns and similar establishments shall be provided with at least one (1) space for each three (3) seats devoted to patron use; motels, tourists cabins and similar establishments, shall be provided with at least one (1) space for each unit; drive-in eating stands offering in-car service shall be provided with at least five (5) spaces for each person employed to serve customers.
- (4) Public gathering uses shall be provided with at least one (1) space for each five (5) patrons to be accommodated on the premises.
- (c) **Off-Street Loading and Unloading.** Any commercial or industrial building hereafter erected or placed on a lot, shall be provided with sufficient off-street loading and unloading space so that no public streets or alleys need be blocked by such activities. In the Industrial District such buildings shall be provided with a minimum of four hundred (400) square feet of off-street loading and unloading space.
- (d) **Public Nuisance.**
  - (1) No person, persons, or group shall establish or maintain a public nuisance upon any real estate contained in any district encompassed under this Chapter.
  - (2) For purposes of this Subsection, such nuisances shall be defined as any use of real estate which is offensive, obnoxious, unsafe or substantially impairs the value of surrounding property either economically or aesthetically. Nuisances shall also have the definition contained in Chapter 146 and Chapter 823, Wis. Stats., and shall further include a nuisance as defined by the common laws of the State of Wisconsin.
  - (3) Any violation of the terms of this Subsection shall be punishable by a forfeiture of not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00).
  - (4) In addition to the penalties provided in Subsection (d)(3) above, the Court may, upon a conviction, order the abatement of any nuisance as described under this Subsection, not more than sixty (60) days following the date of such conviction. Any failure to abate said nuisance as provided herein shall subject the person or persons so ordered to penalties as provided for contempt of such order.

## **Sec. 9-1-70 Shoreland Regulations.**

- (a) **Setback.** For lots that abut on navigable waters the following setback regulations shall apply:
  - (1) All permanent structures, except piers, boat hoists and boathouses shall be set back seventy-five (75) feet from the ordinary high water mark of navigable waters. Boathouses or similar structures which require a waterfront location shall not be used for habitation nor extend closer than six (6) feet from the ordinary highwater mark and cannot be over two hundred forty (240) square feet in size or exceed twelve (12) feet in maximum height. Boathouses can be used only for the storage of water craft and associated materials.



- (2) A setback equal to the average setback of existing principal buildings within five hundred (500) feet of a proposed building site, shall be permitted where such existing buildings do not conform with the appropriate setback line. A minimum setback of forty (40) feet shall be required in all such cases.
- (3) The County Zoning Administrator shall determine the ordinary high water mark where not established.
- (b) **Removal of Shoreline Cover.** The cutting of trees and shrubbery shall be regulated to protect scenic beauty, control erosion and reduce the flow of effluents and nutrients from the shoreland. In the strip thirty-five (35) feet inland from the ordinary highwater mark, no more than thirty (30) feet in any one designated hundred (100) feet shall be clear cut. In other areas, trees and shrub cutting shall be governed by consideration of the effect on water quality and should be in accord with accepted forestry management practices.
- (c) **Commercial Forestry.** From the inland edge of the thirty-five (35) foot strip to the outer limits of the shoreland, the commercial harvesting of trees shall be allowed when accomplished under accepted forest management practices. The maintenance and improvement of water quality shall be emphasized in all timber harvesting operations. The purpose of this order will favor long-lived species adapted to the site and will prescribe slash disposal methods necessary for aesthetic value.
- (d) **Land Alteration.**
  - (1) Filling, grading, lagooning, dredging, ditching and excavating shall require an Iron County Land Use Permit in accordance with Section 13-1-141 and may be permitted only in accord with State law and where protection against erosion, sedimentation and impairment of fish and aquatic life has been assured.
  - (2) Filling, grading, lagooning, dredging, ditching or excavating in a shoreland-wetland district may be permitted only if the requirements listed in Section 13-1-209(b)(2) and (3) of the Shoreland-Wetland District are met.
  - (3) A state or federal permit may be required, in addition to a permit under this Chapter, if State or federal laws are applicable to the filling, grading, lagooning, dredging, ditching or excavating that is proposed.
  - (4) A stairway, walkway or lift is permitted in the shoreland setback area only when it is essential to provide pedestrian access to the pier because of steep slopes, rocky or wet, unstable soils, and when the following conditions are met:
    - a. There are no other locations or facilities on the property which allow adequate access to a pier. Only one (1) stairway or lift is allowed, not both, except where there is an existing stairway and the lift will be mounted to or is immediately adjacent to the existing stairway.
    - b. Such structures shall be placed on the most visually inconspicuous route to the shoreline and shall avoid environmentally sensitive areas.
    - c. Vegetation which stabilizes slopes or screens structural development from view shall not be removed.
    - d. Structures shall be colored and screened by vegetation so as to be inconspicuous when viewed against the shoreline.

- e. Canopies, roofs and sides are prohibited. Open railings may be provided where required for safety.
- f. A maximum width of four (4) feet (outside dimension) is allowed for stairways, walkways and lifts.
- g. Landings are allowed when required for safety purposes and shall not exceed forty (40) square feet. Attached benches, seats, tables, etc., are prohibited.
- h. Stairways, walkways and lifts shall be supported on piles or footings. Any filling, grading or excavation that is proposed must meet the requirements of this Section.

**Sec. 9-1-71 through Sec. 9-1-79      Reserved for Future Use.**